

APPENDIX

# Exhibit "A"

**U.S. District Court  
Southern District of Ohio (Cincinnati)  
CIVIL DOCKET FOR CASE #: 1:01-cv-00688-SAS-TSB**

Mejia v. DeWitt

Assigned to: S Arthur Spiegel

Referred to: Timothy S. Black

Demand: \$0

Lead Docket: None

Related Cases: None

Case in other court: None

Cause: 28:2254 Petition for Writ of Habeas Corpus (State)

Date Filed: 10/09/01

Jury Demand: None

Nature of Suit: 530 Habeas Corpus  
(General)

Jurisdiction: Federal Question

**Petitioner**

**Jerbein Mejia**

represented by **William Richard Gallagher**

Arenstein & Gallagher - 1

The Citadel

114 E Eighth Street

Cincinnati, OH 45202

513-651-5666

Email: wrg35@aol.com

**LEAD ATTORNEY**

**ATTORNEY TO BE NOTICED**

V.

**Respondent**

**Don DeWitt**

represented by **Bruce David Horrigan**

Ohio Attorney General

Corrections Litigation Section

615 W Superior Avenue

11th Floor

Cleveland, OH 44113-1899

216-787-3030

Fax : 216-787-3480

Email: bhorrigan@ag.state.oh.us

**LEAD ATTORNEY**

**ATTORNEY TO BE NOTICED**

Filing Date	#	Docket Text
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10/09/2001	1	PETITION FOR WRIT OF HABEAS CORPUS (referred to Mag. Judge Jack Sherman ) ( no pgs: 6) (wam) (Entered: 10/10/2001)
10/09/2001		Filing Fee Paid: on 10/9/01 in the amount of \$ 5.00, receipt # 412504. (wam) (Entered: 10/10/2001)
11/16/2001	2	ORDER TO SHOW CAUSE: by Mag. Judge Jack Sherman that respondent has sixty (60) days to respond to the petition for writ of habeas corpus ( no pgs: 2) (cc: all counsel) (km) (Entered: 11/16/2001)
01/09/2002	3	RETURN OF WRIT by respondent to habeas corpus petition [1-1] ( no pgs: 26+appendix of exhibits 1-14) (km) (Entered: 01/09/2002)
01/14/2002	4	UNOPPOSED MOTION by petitioner to extend time 30 days in which to file traverse to answer/return of writ ( no pgs: 2) (km) (Entered: 01/14/2002)
01/17/2002		NOTATION ORDER by Mag. Judge Jack Sherman granting unopposed motion to extend time 30 days in which to file traverse to answer/return of writ [4-1] (cc: all counsel) (km) (Entered: 01/17/2002)
02/07/2002	5	RESPONSE/TRAVERSE by petitioner to answer/return of writ [3-2] ( no pgs: 4) (km) (Entered: 02/07/2002)
04/21/2003	6	MOTION by petitioner to stay & abey habeas proceedings ( no pgs: 10+) (wam) (Entered: 04/21/2003)
04/24/2003	7	Addendum/Supplement by petitioner re motion to stay & abey habeas proceedings [6-1] ( no pgs: 2+) (wam) (Entered: 04/24/2003)
06/30/2003	8	MOTION by petitioner for leave to amend habeas petition ( no pgs: 7+) (wam) (Entered: 06/30/2003)
08/21/2003	9	REPORT AND RECOMMENDATION by Mag. Judge Jack Sherman that motion to stay & abey habeas proceedings [6-1] be DENIED as moot; NOTICE: Parties have 10 days to file objections (cc: all counsel) ( no pgs: 2) (wam) (Entered: 08/21/2003)
08/21/2003	9	ORDER by Mag. Judge Jack Sherman granting motion for leave to amend habeas petition [8-1]; respondent shall have 20 days from the date of this Order to file an amended return of writ addressing petitioner's amended petition (cc: all counsel) ( no pgs: 2+) (wam) (Entered: 08/21/2003)
09/05/2003	<u>10</u>	AMENDED ANSWER to [1] Petition for Writ of Habeas Corpus by Respondent Don DeWitt. (Horrigan, Bruce) (Entered: 09/05/2003)

09/10/2003	<u>11</u>	MOTION for Order to be placed on the service list for any orders by Petitioner Jerbein Mejia. (wam, ) (Entered: 09/10/2003)
09/12/2003	<u>12</u>	MOTION for Extension of Time until 10/17/03 to File traverse by Petitioner Jerbein Mejia. (wam, ) (Entered: 09/15/2003)
09/23/2003	<u>13</u>	ORDER granting <u>12</u> Motion for Extension of Time to File Traverse until 10/17/2003. Signed by Judge Jack Sherman Jr. on 9/23/2003. (km, ) (Entered: 09/23/2003)
10/06/2003	<u>14</u>	AMENDED TREAVVERSE by Petitioner Jerbein Mejia. Amendment to [5] traverse (Attachments: # <u>1</u> Exhibit)(wam, ) (Entered: 10/06/2003)
12/31/2003	<u>15</u>	ORDER and Report & Recommendation entered by Magistrate Judge Susan Novotny that petitioner's motion <u>11</u> requesting the the Clerk of Court serve all rulings of this Court on petitioner is GRANTED; and the petitioner's amended petition for writ of habeas corpus [1] & [8] be DENIED w/prejudice. Certificate of appealability should not issue; and an appeal of this order would not be taken in good faith and, therefore, DENY petitioner leave to proceed on appeal in forma pauperis. Objections to R&R due by 1/10/2004. (Attachments: # <u>1</u> certified mailing label addressed to petitioner, Jerbein Mejia)(art, ) Additional attachment(s) # <u>2</u> returned certified mailing label addressed to Jerbein Mejia added on 1/8/2004 (art, ). (Entered: 12/31/2003)
01/08/2004	<u>16</u>	MOTION for Extension of Time to File objections to <u>15</u> REPORT AND RECOMMENDATIONS by Petitioner Jerbein Mejia. (wam, ) (Entered: 01/08/2004)
01/13/2004		NOTATION ORDER granting <u>16</u> Motion for Extension of Time to File Objections re <u>15</u> REPORT AND RECOMMENDATIONS. Objections due by 2/9/2004. Signed by Judge S Arthur Spiegel on 1/13/2004. (km, ) (Entered: 01/13/2004)
02/02/2004	<u>17</u>	OBJECTION to <u>15</u> Report and Recommendation & request for issuance of certificate of appealability by Petitioner Jerbein Mejia. (Attachments: # <u>1</u> Exhibit)(wam, ) (Entered: 02/03/2004)
03/08/2004		Case docket corrected to reflect that this case is now referred to Visiting Magistrate Judge David S Perelman. Magistrate Judge Jack Sherman no longer assigned to the case. (art, ) (Entered: 03/08/2004)
03/31/2004	<u>18</u>	ORDER ADOPTING REPORT AND RECOMMENDATION re [9] Report and Recommendation, denying as moot [6] Motion to Stay filed by Jerbein Mejia. Signed by Judge S Arthur Spiegel on 3/31/2004. (km, ) (Entered: 03/31/2004)

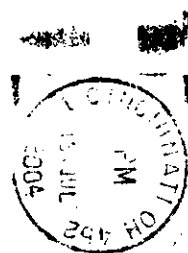
05/12/2004	Judge Timothy S. Black added. Judge David S Perelman no longer assigned to case. (jal, ) (Entered: 05/12/2004)
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**Exhibit 'B'**

OFFICE OF THE CLERK  
SOUTHERN DISTRICT OF OHIO  
100 EAST FIFTH STREET, ROOM # 103  
CINCINNATI, OHIO 45202

OFFICIAL BUSINESS

Jerbein Eligio Mejia #391-808  
Ross Correctional Institution  
P.O. Box 7010  
Chillicothe, OH 45601



45601-7010

